

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**CHARLES DERRYBERRY**

**PLAINTIFF**

v.

**No. 4:09CV00001-MPM-DAS**

**CHRISTOPHER EPPS, ET AL.**

**DEFENDANTS**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On consideration of the file and record of this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated February 14, 2011, was on that date duly served upon the parties; that more than fourteen days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated February 14, 2011, is hereby approved and adopted as the opinion of the Court.
2. That this case is dismissed with prejudice for failure to prosecute.

A separate judgment will be issued this date pursuant to Fed. R. Civ. P. 58.

**THIS**, the 16<sup>th</sup> day of March, 2011.

**/s/ MICHAEL P. MILLS**  
**CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF MISSISSIPPI**